

**CRIMINAL TRIAL PROCEEDINGS
MINUTE SHEET**DATE: 10-25-2010

United States District Court	Eastern District of Virginia - Richmond Division
CASE TITLE UNITED STATES OF AMERICA v. JACK ROSGA (1), WILLIAM DAVEY (5), MARK SPRADLING (20) and LESLIE WERTH (23)	CRIMINAL NO: 3:10CR00170 JUDGE: HUDSON CT REPORTER: LISCIO, OCR

MATTER COMES ON FOR: JURY TRIAL (☒) BENCH TRIAL ()

APPEARANCES: DEFTS WITH COUNSEL Day 4 Claire Cardwell & Craig Mastantuono (1), Horace Hunter (5),
Reginald Barley (20) and Thomas Collins (23), ESQ. (☒)
 GOV'T Peter Duffey, Stephen Miller, Theryn Gibbons and Sam Kaplan, AUSA (☒)
 JURY PRESENT (☒)

BAIL STATUS: DEFENDANTS ON BOND () DEFTS. INCARCERATED (☒)**TRIAL PROCEEDINGS:**

JURY SWORN & EXAMINED ON VOIR DIRE () JURY EMPANELED & SWORN TO TRY ISSUE ()
 WITNESSES EXCLUDED ON MOTION OF: GOV'T () DEFENDANT () COURT ()
 OPENING STATEMENTS MADE () OPENING WAIVED ()
 GOVERNMENT ADDUCED EVIDENCE (☒) RESTED () MOTION ()
 DEFENDANT ADDUCED EVIDENCE () RESTED () MOTION ()
 REBUTTAL EVIDENCE ADDUCED () SUR-REBUTTAL EVIDENCE ADDUCED ()
 EVIDENCE CONCLUDED () ARGUMENTS OF COUNSEL HEARD ()
 JURY CHARGED BY THE COURT () ALTERNATE JUROR DISCHARGED ()
 OBJECTIONS AND/OR EXCEPTIONS TO THE JURY CHARGE NOTED BY:
 DEFENDANT () GOVERNMENT () NONE NOTED ()
 JURY RETIRED () at _____ a.m./p.m. INQUIRIES OF THE JURY RECEIVED; ANSWERED ()
 JURY RETURNED VERDICT OF: GUILTY AS CHARGED IN _____ ()
 NOT GUILTY AS CHARGED IN _____ ()
 JURY UNABLE TO AGREE () MISTRIAL DECLARED () JURY DISCHARGED ()
 JUDGMENT: DEFENDANT _____ AS CHARGED IN _____ ()
 PSR ORDERED () or WAIVED BY THE DEFENDANT () SGO ENTERED ()

CASE CON'T TO: Oct. 26, 2010 at 9:00 am FOR Jury Trial, Day 5 (☒)DEFENDANT CONTINUED ON PRESENT BOND () DEFENDANT REMANDED TO CUSTODY (☒)

ALL EXHIBITS RETURNED TO COUNSEL () _____

FURTHER NOTATIONS: See Attached

Recesses > 10:30-10:55, 12:48-1:55, 2:56-3:16,
5:05-5:20

SET: 9:00 BEGAN: 9:14 ENDED: 5:43 TIME IN COURT: 6 HRS 30 MIN.

PAGE TWO (2)

MINUTE SHEET, CON'T.

United States of America v. Jack Rosga (1), William Davey (5), Mark Spradling (20) and Leslie Werth (23)
Criminal Action No. 3:10CR00170-HEH

FURTHER NOTATIONS:

- [A] Motion by defendant Rosga to allow questioning of witness David Lowry in re: fraud conviction.**
Argument heard.
Voir dire of Lowry under oath conducted by AUSA Miller, Court, and attorney Cardwell.
Motion denied.

UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

VIRGINIA (Richmond Division)

EXHIBIT AND WITNESS LIST

UNITED STATES OF AMERICA

V.

JACK ROSGA, WILLIAM DAVEY,
MARK SPRADLING & LESLIE WERTH

Case Number: 3:10CR00170

PRESIDING JUDGE HUDSON					PLAINTIFF'S ATTORNEY PETER S. DUFFEY, et al.	DEFENDANT'S ATTORNEY CLAIRE G. CARDWELL, et al.
TRIAL DATE (S) OCTOBER 25, 2010 (Day 4)					COURT REPORTER K. LISCIO, OCR	COURTROOM DEPUTY PIZZINI
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
					GOVERNMENT	
450		10-25-10		✓	Brian McDermott	
11				✓		
13				✓		
270				✓		
224-240				✓	Mark Kelly	
241				✓		
241A				✓		
242-247				✓		
249-250				✓		
252-261				✓		
19				✓	Denny Williams	
445				✓		
20				✓		
2				✓	Lyle Beatty	
3				✓		
13				✓		
4				✓		
445				✓		
6				✓		
14				✓		
9				✓		

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

448

✓

[illegible]